

CRIMINAL RECORD

49. Have you or a member(s) of your family, or someone close to you ever been arrested for or charged with a criminal offense?

50. How was this person related to you?

51. Were you (they) convicted?

VICTIM EXPERIENCE:

52. Have you, or any member of your family, or close friend ever been a victim of a crime? If yes, who, when and what happened?

53. How had the experience affected your feelings about the criminal justice system?

LITIGATION EXPERIENCE:

54. Have you ever been a party to a lawsuit or filed a claim against a government agency? If yes, please explain.

ADMINISTRATION OF JUSTICE:

55. Have you, or any member of your family, or close friend ever taken a course in the administration of justice, or studied law? If yes, please give details.

56. Have you, or any member of your family, or close friend ever been affiliated with any of the following? (if yes, please check):

- law enforcement (police officer, sheriff, F.B.I. agent, etc).
- corrections (prison guard, jailer, prison staff, jail staff)
- mental institution
- juvenile facilities
- probation and parole
- District Attorney or United States Attorney
- public defender
- law school
- investigative work
- immigration services
- drug enforcement administration

57. If you checked any of the above, please indicate who was affiliated, the nature of the affiliation, and when.

58. Do you have acquaintances who are attorneys practicing criminal law or judges? If yes, please state the names of those persons and the relation that you have with them?

PSYCHIATRY/PSYCHOLOGY:

59. How do you feel about psychiatrists and/or psychologists testifying as experts in court cases?

60. Are you familiar with psychological testing? If yes, how do you feel about the validity of these tests?

61. Have you ever studied psychiatry, psychology, or any related subjects? If yes, please explain.

62. Have you or any member of your family, or close relative ever consulted a psychiatrist or psychologist for professional services?

63. Did this consultation affect your opinion about the value of psychiatry or psychology? If yes, please explain.

60. Are you familiar with psychological testing? If yes, how do you feel about the validity of these tests?

61. Have you ever studied psychiatry, psychology, or any related subjects? If yes, please explain.

62. Have you or any member of your family, or close relative ever consulted a psychiatrist or psychologist for professional services?

63. Did this consultation affect your opinion about the value of psychiatry or psychology? If yes, please explain.

DEARDORFF & HAAS
ATTORNEYS AT LAW

TIMOTHY J DEARDORFF
LOREN S HAAS
JAMES S GINOCCHIO

2368 VICTORY PARKWAY, SUITE 300
CINCINNATI, OHIO 45206
(513) 872-7900
FAX. 281-6760

March 31, 1994

Mr. Dan James, Esq.
1300 American Building
30 E. Central Parkway
Cincinnati, Ohio 45202

Re: Lee Edward Moore

Dear Dan:

I had a conversation with Chuck Stidham in regard to being our mitigation expert. I personally think that one is necessary in every aggravated murder case. I will be on vacation until April 11th. I have asked Chuck to contact you in regards to filing that motion.

Secondly, I have had extensive interviews with Lee Edward Moore in the jail and I would like to speak to you in regard to his status as far as the first phase. I also think that we should move for a 3 judge panel to see who we would obtain and hopefully roll a judge who would be persuaded by the arguments in mitigation. I will await to hear from you in that regard when I return. It may be beneficial that you, I and Chuck Stidham have a meeting before we proceed with any motions. However, I will concur, obviously, with anything you would do in my absence.

Very truly yours,

DEARDORFF & HAAS

TIMOTHY J. DEARDORFF

TJD/jp

008825

DEARDORFF & HAAS
ATTORNEYS AT LAW

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169 EAST McMILLAN — CINCINNATI, OHIO 45219
(513) 241-4030
FAX 241-5724

GEOFFREY W. PITTMAN

February 24, 1994

Mr. and Mrs. Lee Moore, Sr.
1101 Clearbrook Dr.
Cincinnati, OH 45229

RE: Lee Edward Moore, Jr.

Dear Mr. and Mrs. Moore,

Please be advised that the above referenced case is set for Motion to Suppress Thursday, May 5, 1994 at 9:00 a.m. before Judge William Morrissey, room 360; Monday, June 27, 1994 at 10:00 a.m., and Tuesday, July 26, 1994 at 9:00 a.m. for Jury trial.

Should you have any questions or concerns, please feel free to call.

Very truly yours,

DEARDORFF & HAAS

TIMOTHY J. DEARDORFF

hh

008826

COURT OF COMMON PLEAS
ASSIGNMENT COMMISSIONER
ROOM 355-COURTHOUSE
COURT & MAIN STREETS
CINCINNATI, OHIO 45202

B- 940481 STATE OF OHIO 01/31/94
MODRE/LEE VS

~~THIS CASE IS SET FOR
PRE-TRIAL~~

02/09/94 AT 1100 AM
IN ROOM 360 BEFORE JUDGE
MORRISSEY/WILLIAM

COURT OF COMMON PLEAS
ASSIGNMENT COMMISSIONER

200

* TIMOTHY J DEARDORFF
* 162

* 169 E MCMILLAN ST
* CINTI. OHIO

LINTI, OHIO 45219

Lee Morris Sr + Bebe
1101 Clearbrook Dr. (29)

[Signature]

008827

Lee Edward Moore, Jr.

Beverly Parker 7950 Cherrywood Ct. Cincinnati, Ohio 45244	729-1760 H 626-3525 W	sister
Lee Moore Sr. & <u>Betty</u> 1101 Clearbrook Dr. Cincinnati, Ohio 45229	242-1482 H	Dad & Step M.
Sandra Fetuga 3031 Cleinview Ave. Cincinnati, Ohio 45206	861-6649	friend of family
Vernena (Moore) Simpson 1855 Dale Wood Place Cincinnati 45237	242-3924	sister
Tommie Cullbreath 8517 Shuman Lane Cincinnati, Ohio 45231	931-5151	Georgia Moore's sister
James E. Robinson, Jr. 3250 Rammlesberg Cincinnati, Ohio 45206	861-5180	(1st cousin)
Georgia L. Moore 1280 Meredith Drive Cincinnati, Ohio 45231	522-0990	Mother
Vernie Besley 3554 Kenoak Lane Cincinnati, Ohio 45213	561-5120 W	$\frac{1}{2}$ sister (Father)

008828

DANIEL J. JAMES
ATTORNEY AND COUNSELOR AT LAW
13TH FLOOR, AMERICAN BUILDING
30 EAST CENTRAL PARKWAY
CINCINNATI, OHIO 45202

(513) 721-1995

SUBURBAN OFFICE
4226 BRIDGETOWN ROAD
CINCINNATI, OHIO 45211
(513) 574-5400

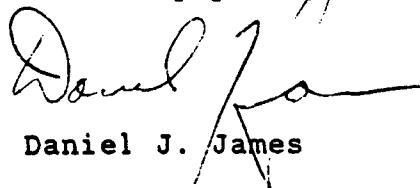
February 18, 1994

Mr. Timothy Deardorff
Attorney at Law
169 E. McMillan Street
Cincinnati, Ohio 45219

Dear Tim:

Please find enclosed a copy of the Entry of Continuance and the Discovery that I picked up when in court earlier today. I'll give you a call next week to discuss the appropriate motions that need to be filed.

Sincerely yours,



Daniel J. James

DJJ/kw
Encl.

008829

LAW OFFICES

CHUCK R. STIDHAM
CHRISTOPHER J. BERNARD

SAND, STIDHAM AND BERNARD
317 W. BENSON STREET
READING, OHIO 45215
(513) 761-4929
FAX (513) 761-3573

*ROBERT G. SAND
(1932-1990)
*HARRY A. SAND
(1922-1987)

February 2, 1994

Timothy Deardorff
Attorney at Law
169 E. McMillan
First Floor
Cincinnati, Ohio 45219-2636

RE: State of Ohio v. Lee Moore

Dear Tim:

Thank you very much for considering Mr. Vonderhaar and myself to be the Mitigation Specialists in reference to the above case. Steve and I would like very much the opportunity to speak with you as quickly as possible so as the ground work, foundation and parameters of our duties and obligations is clearly set forth.

Mitigation Specialists of Southwest Ohio charges the fee of \$35.00 per hour plus nominal expenses in the event of long distance telephone calls or mileage. We look very much forward to the opportunity of working with you in the representation of Mr. Moore.

Very truly yours,

Chuck R. Stidham
Attorney at Law

CRS/tas

008830

DANIEL J. JAMES

ATTORNEY AND COUNSELOR AT LAW
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241-0154

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February 3, 1994

Mr. Timothy J. Deardorff
Attorney at Law
Deardorff & Haas
169 East McMillan
Cincinnati, Ohio 45219

Re: State of Ohio vs. Lee Moore
Case No. B9400481

Dear Tim:

When we spoke in Court earlier this week we talked about the numerous filings that are required to be filed in a capital case. You indicated that you had the most recent and updated motions in your computer.

I ask you to send or fax to me a listing of these motions. In this manner we can review which motions are appropriate. I would like to get the majority of these motions filed within the next couple of weeks. If you have any questions, give me a call.

Sincerely yours,

Daniel J. James

Daniel J. James

DJJ/kw

008831

ATTORNEYS AT LAW

TIMOTHY J DEARDORFF
LOREN S HAAS
JAMES S G'NOCCHIO

2368 VICTORY PARKWAY, SUITE 300
CINCINNATI, OHIO 45206
(513) 872-7900
FAX 281-6760

February 1, 1995

Mr. Lee Edward Moore, #300-700
Southern Ohio Correctional Facility
P.O. Box 45699
Lucasville, Ohio 45699

Dear Lee:

Enclosed please find a copy of the regular calendar scheduling order issued by the Court of Appeals for your case. As you can see, the court reporter will have the transcripts filed by March 20, 1995, then we will be required to file a brief on your behalf by June 20, 1995. The prosecutor will then file a brief on behalf of the State by September 20, 1995. We will then have 10 days to file a reply brief, addressing the arguments the State has made. The Court of Appeals will schedule a hearing sometime after that, probably in November, 1995.

I will be handling much of the research and drafting for your appeal. If you have any questions or comments, please do not hesitate to write me.

Sincerely yours,

DEARDORFF & HAAS

CURTIS J. HAMILTON, III
Senior Law Clerk

CJH/jp
enclosure

dictated but not read

008832

X

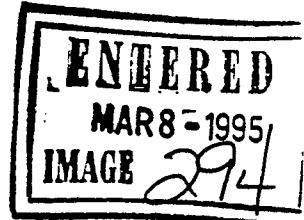
PHONE MEMO	TO	Jean	DATE	2-15	TIME	055	AM
	FROM		AREA CODE		PM		
	OF	Betty Moore	NO.				
	MESSAGE	Change of address					
<p>Lee Moore Jr. _____ #305700 PO Box 788 Mansfield Correctional Institute Mansfield OH 44901-0788</p>							
PHONED <input type="checkbox"/>		CALL BACK <input type="checkbox"/>	RETURNED <input type="checkbox"/> CALL	WANTS TO SEE YOU <input type="checkbox"/>	WILL CALL AGAIN <input type="checkbox"/>	WAS IN <input type="checkbox"/>	URGENT <input type="checkbox"/>

008833

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

~~JUDGE ROBERT P. RUEHLMAN
Court of Common Pleas
Hamilton County, Ohio~~

The State of Ohio	(
	(
Plaintiff	(Case No. B940481
	(
vs.	((Judge Ruehlman)
	(
Lee Edward Moore	(ORDER GRANTING LEAVE TO APPEAL IN
	(FORMA PAUPERIS, AND FOR
Defendant	(TRANSCRIPT AT PUBLIC EXPENSE



This cause came on to be heard on the motion of defendant for leave to appeal in forma pauperis, and for a transcript of proceedings at public expense, and the Court, for good cause shown, finds that the defendant is indigent and unable to afford to prosecute his appeal from the judgment and sentence of this Court herein, and is entitled to proceed in forma pauperis, pursuant to State ex rel. Siegler V. Rone (1975, 42 Ohio St.2d 361, 328 N.E.2d 811).

THEREFORE, IT IS ORDERED that defendant is hereby granted leave to appeal in forma pauperis, without cost, and that he shall be provided a transcript of the proceedings herein at public expense, to be taxed in the costs, or otherwise paid as provided by law.

Robert P. Ruehlman, Judge

008834

Form OPD-206

OHIO PUBLIC DEFENDER COMMISSION
8 East Long Street, 11th Floor
Columbus, OH 43215
(614) 466-5394

Hamilton County

Name Lee E. Moore
Case No. B94 00481

Affidavit of Indigency

I, Lee E. Moore, being duly sworn, say:

1. I am accused of the crime of Aggravated Murder;
2. I am financially unable to retain private counsel without substantial hardship to me or my family;
3. I understand that I must inform the Assigned Counsel if my financial situation should change before the disposition of my case;
4. I understand that if it is determined by the county, or by the court, that the legal representation that was provided for me, to which I was not entitled, I may be required to reimburse the county for the costs of representation provided. Any action filed by the county to collect legal fees hereunder, must be brought within two years from the last date legal representation was provided.

NOTARY ATTEST

Sworn before me and subscribed in my presence this 22nd day of January, 1994

Jones A. Niles
My commission does not expire

Form OPD-206 is required under Section 120.33 Ohio Revised Code

008835

57 v Breuer - 48 off 57 3d 50
(1990)

5/5/ L. E. NOON HEADING - MOTION TO SUPPRESS
STATEMENT

L1 - - - Mark Donum, S67
Witness 77 Hennet P.D.

- 5:23 pm

- I was in uniform & made contact
- McDonald's Restaurant
- I pulled into shopping center lot to have access to McDonald's
- The plain clothes detective had already gotten L.L. Moore out of the car - held him up against the side of the body
- I didn't smell any marijuana from the vehicle
- I had a conversation w/ Moore in my car later on - I took him from McDonald's to Mt Healthy P.D.

"What is this about?

66 internally reported

- did not smell marijuana; I did not see glassy eyes, or behavior

~~I had~~ - it was a cold day

~~a coat~~ - he was wearing a sweat shirt

75
Lee

008836

- I did not advise him of his rights

be res.

in
creatively - when I put the cuffs on him

- not sure if I removed the handcuffs

^{What} ^{time?} - holding cell - I say he's a criminal
- we put her in

- he was put in another room - I say
officers were present - they handcuffed
him

- I & another took care of his
clothing - I do

hours - he ~~had~~ didn't answer my questions
in
holding cell - he was not allowed to

other Officer commands

2 Detectives : - at of Mt Healthy

- I put saw him at 6:00 pm at the
Mt. Healthy P.D.

- no ones on the ground, it was cold

- he had a sweatshirt, hat, pants

- I don't know if he had a coat or not

- he had no ~~any~~ conversations w/ defendant

- I had made a previous check on him as to

address 148 - from school officials

- address - Meredith Rose - attorney

Marilyn

Type: - I removed his a hat, sweater, shirt, pants

- I did not take his shoes

- he was given his coat was transported

- don't know whose coat

- we had blankets in the holding cell

- he had no clothes from the ~~bunk~~^{least} up

Lee - he was spoke w/ me

and

locked up - he was there from 6-9 pm

up to - he was not fed

held off - off to East Bay Annex took his doortoers

- I did not try to contact him further

Cross & Responses

- he was lying down on the bed

- he was asked for anything to eat or drink

- I took clothes - Marquise had features

of the purchased of the credit card of
Mr. Seeger

- send w/ any visitors in the cell

Dennis OHYIA - last Police Chief

- came in contact w/ him when I came to
work at 10:30 pm - I saw him in the
cell

- I don't think he was cuffed

- I don't remember he was wearing a shirt or was
bare chested - I don't believe he had a shirt on

- he was on sturdy feet
 - I don't know where his shoes were
 - I don't know who took his shoes
 - I took him downstairs. Did I AM
 - he spoke to me when we were going & told him
 - he was on custody - ~~but~~ not free to leave
 - I put the cuffs on him, checked his ^{red tape} ~~watch~~
 - I did not advise him of his rights but ^{stayed} ~~in~~ I turned an offer for Fairfield advice ^{offer}
~~him of his rights~~
- ↓
- this was done in the holding cell
- I gave the Fairfield Officer a rights statement - the Fairfield Officer said to always read him his rights

- he was cold at
 - he was given a jacket - I had to be his jacket
 - we did not give him shoes.
- # - we was shot on the ground
- # - we was snow on the ground

- this is Exhibit # 6 - rights statement
- I drove police parked on Crowley - I took him into General Hospital Boston
- "he did complain about walking through the snow"
- I couldn't believe him

008839

but could not see (1:00 or so) when he
arrived

Mike Garrison

P. O. at 9 Mayfield

- I was w/ Det Bob Bennett
- we were out
- I identified myself & told him to put his
hands on the steering wheel

- I made him get out, put his hands on the
trunk of the car
- I cuffed him - I didn't tell him
why he was ~~was~~ being held

- I told him later - when we arrived at
C.I.S. - he has ~~was~~ been held

- no smell of marijuana
- not glossy eyes
- no slurred speech
- I don't recall removing his cuffs when we put
him in the holding cell

Site Exhibit 6 - Nurse sights from

- I read the form to him
- I do this after he ~~was~~ cannot anyone
- I didn't tell him why he was being
arrested (I did this w/in minute)

- I don't know if his shoes were taken
- there was snow & slush. slush
- he was not handcuffed when he was transported